



Legislative Bulletin.....September 14, 2011

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H.R. 2867 - United States Commission on International Religious Freedom Reform and Reauthorization Act of 2011

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Order of Business: The legislation is scheduled to be considered on Wednesday, September 14, 2011, under suspension of the rules.

Summary: H.R. 2867 would reauthorize the United States Commission on International Religious Freedom (Commission) through September 30, 2013. The Commission is currently set to expire on September 30, 2011. The legislation clarifies certain membership requirements for the Commission, reduces the number of members, and sets attendance standards necessary for reappointment. This legislation authorizes for appropriation \$3,000,000 for FY 2012 and FY 2013.

The legislation also authorizes the Commission to spend \$250,000 each fiscal year in contracting with other government agencies or individuals. The legislation also contains various reporting requirements (including evaluations) which are detailed below.

Section by Section breakdown:

Section 2: The legislation clarifies membership requirements for the Commission. The legislation states that an individual is not eligible to serve more than two consecutive terms as a member of the Commission. The legislation allows for current members of the Commission (as of the date of enactment) to be appointed to one additional consecutive term. H.R. 2867 also mandates that Commission members attend 75% of the Commission meetings, or be ineligible for reappointment. Additionally, no member of the Commission is allowed to be elected as Chair for a second, consecutive term.

H.R. 2867 also reduces the number of members of the Commission from 9 to 5. Commission Members are to be appointed as follows, and are to serve 2 year terms:

- 1 Member of the Commission are appointed by the President (this individual serves a 1 year term);
- 1 Member of the Commission is appointed by the President pro tempore of the Senate;
- 1 Member of the Commission is appointed by the Senate Minority Leader;
- 1 Member of the Commission is appointed by the Speaker of the House; and

- 1 Member of the Commission is appointed by the House Minority Leader.

Section 3: This legislation clarifies that employees of the Commission are to be treated as employees of the House of Representatives, or the Senate, for the purposes of antidiscrimination laws (dealing with employment discrimination, family and medical leave, veterans reemployment, Americans with Disabilities Act, etc.).

Section 4: The Commission was originally authorized \$3,000,000 for 2003, and no amounts were specified for the following years (according to 22 U.S.C. 6435(a)). This section authorizes \$3,000,000 for the Commission for FY 2012 and FY 2013.

Section 5: This section increases the amount that the Commission may spend (during 1 fiscal year) on the contacting of services necessary for carrying out its duties. The amount is increased from \$100,000 to \$250,000. This section does not increase the authorization amount for the Commission, it only increases the amount that the Commission is allowed to spend on outside contracting.

Section 6: This section contains a termination date of September 30, 2013.

Section 7: This section requires that, within one year of enactment, the Comptroller General submit a report to Congress detailing:

- The effectiveness of all U.S. programs to promote international religious freedom;
- An assessment of the roles and functions of the Office on International Religious Freedom and the relationship of that Office to other offices within the State Department;
- A review of the role of the Ambassador at Large for International Religious Freedom and the placement of such position within the State Department;
- A review and assessment of the goals and objectives of the United States Commission on International Religious Freedom;
- A comparative analysis of the structure of the United States Commission on International Religious Freedom as an independent non-partisan entity in relation to other United States advisory commissions, whether or not such commissions are under the direct authority of Congress; and
- A review of the relationship between the Ambassador at Large for International Religious Freedom and the United States Commission on International Religious Freedom, and possible reforms that would improve the ability of both to reach their goals and objectives.

Additional Information: The Commission's purpose is to function as an independent arm of the Executive Branch, and to advise the Administration and Congress about international religious freedom issues. The Commission was created by H.R. 2431 (in the 105th Congress), which passed the House on May 14, 1998 by a [roll call vote of 375-41-1](#).

Committee Action: H.R. 2867 was introduced on September 8, 2011, and was referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy (SAP) is provided.

Cost to Taxpayers: A CBO report is unavailable. Section 4 of the legislation authorizes for appropriation \$3,000,000 for FY 2012 and FY 2013.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: Rep. Wolf's [statement on constitutional authority](#) states: "Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the United States Constitution."

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